


ORDERED.

Dated: September 18, 2019



Roberta A. Colton
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In Re:

FRANK NATIELLO,
LOUISA-ANNE R. NATIELLO,

Case No. 8:19-bk-04542-RCT

Chapter 7

Debtors

_____ /

**AGREED ORDER GRANTING LOANCARE, LLC RELIEF FROM AUTOMATIC
STAY EFFECTIVE 180 DAYS FROM ORDER DATE**

THIS CASE came before the Court on September 12, 2019, pursuant to the Motion for Relief from the Automatic Stay filed by Loancare, LLC ("Secured Creditor") (Docket No. 18) and, it is:

ORDERED:

1. Secured Creditor's Motion for Relief from the Automatic stay is granted, effective 180 days from the date of the order to allow Trustee to sell the property.

2. Upon expiration of the 180 days from the date of the Order, the automatic stay imposed by 11 U.S.C. Section 362 is lifted as to Movant and Movant may proceed with the foreclosure of its lien on the following property:

ALL THAT PARCEL OF LAND IN THE TOWNSHIP OF VERNON, SUSSEX COUNTY, STATE OF NEW JERSEY, AS MORE FULLY DESCRIBED IN DEED BOOK 2163, PAGE 317, BEING KNOWN AND DESIGNATED AS LOTS 21, 22, 23 AND 24 IN BLOCK 4-10 BEING FOUR LOTS IN ALL ON A MAP ENTITLED "MAP OF SENIC LAKES, SECTION 2, HARDYSTON AND VERNON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY" SURVEYED APRIL 1957 BY WALDO J. CLARKE, P.E. & L.E. SAID MAP BEING FILED IN THE SUSSEX COUNTY CLERK'S OFFICE ON MAY 23, 1957 AS MAP NO. 337A.

BY FEE SIMPLE DEED FROM DONALD E. ROWAN AND DONNA M. ROWAN, A/K/A DONNA M. GAMIKO, HUSBAND AND WIFE AS SET FORTH IN DEED BOOK 2163, PAGE 317 DATED 07/31/1996 AND RECORDED 08/08/1996, SUSSEX COUNTY RECORDS, STATE OF NEW JERSEY.

**A/K/A 8 SANDY HILL ROAD
VERNON, NJ 07462**

3. The automatic stay is modified for the sole purpose of allowing Movant to complete *in rem* relief, to take any and all steps necessary to exercise any and all rights it may have in the collateral, to gain possession of said collateral, to have such other and further *in rem* relief as is just, but the Movant shall not obtain *in personam* relief against the debtor.

4. Attorney's fees and costs in the amount of \$526.00 are awarded for the prosecution of this Motion for Relief from Stay.


5. This Court makes no determination that the Debtor(s) have/has defaulted on the underlying obligation.

6. Secured Creditor is directed to cooperate with the Chapter 7 Trustee in her efforts to sell the real property, in particular, providing payoff information and responding generally to communications from the Trustee and/or parties authorized by the Trustee to send and receive communications in connection with the sale of the real property.

###

/s/ Stefan Beuge, Esq.

Stefan Beuge, Esq., Florida Bar No. 68234
Phelan Hallinan Diamond & Jones, PLLC
2001 NW 64th Street, Suite 100
Ft. Lauderdale, FL 33309
Tel: 954-462-7000 Ext. 56588
Fax: 954-462-7001
FLMD.bankruptcy@phelanhallinan.com


Christine L Herendeen, Trustee
PO Box 152348
Tampa, FL 33684
Tel: 813-438-3833

Filer's Attestation: Pursuant to Local Rule 1001-2(e)(3) regarding signatures, Stefan Beuge attests that concurrence in the filing of this paper has been obtained.

Order prepared by:

Stefan Beuge, Esq., Florida Bar No. 68234
Phelan Hallinan Diamond & Jones, PLLC
2001 NW 64th Street
Suite 100
Ft. Lauderdale, FL 33309
Tel: 954-462-7000 Ext. 56588
Fax: 954-462-7001
Email: stefan.beuge@phelanhallinan.com
FLMD.bankruptcy@phelanhallinan.com

Attorney Stefan Beuge, Esq. is directed to serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within 3 days of entry of the order.